

60,469-198
OT-5126REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the Office Action. Applicant is grateful for the indication of allowable subject matter. Claim 1, 2, 7, 10, 11, 12 and 13 are amended above. Claims 8, 9 and 14 are cancelled. New claim 17 is added. Applicant respectfully requests reconsideration of this application where claims 1-7, 10-13 and 15-17 are pending.

The rejection under 35 U.S.C. §102(b) based upon *Koopman, Jr., et al.* is no longer applicable in view of the amendments to claims 1 and 13.

The rejection of claims 7 and 8 under 35 U.S.C. §102(b) based upon *Zolnerovich, Jr., et al.* is no longer applicable as the subject matter of claim 9 has been incorporated into claim 7.

Applicant respectfully traverses the rejection of the subject matter presented in claims 9, 11 and 12 under 35 U.S.C. §103 based upon the proposed combination of *Zolnerovich, Jr., et al.* and *Koopman, Jr., et al.* There is no motivation for making the proposed combination and no *prima facie* case of obviousness. The *Zolnerovich, Jr., et al.* arrangement utilizes a visually or optically detectable card read out on the cards 70 and 71. There is no signal transmitted from those cards and, therefore, no use for a "passive power source" from *Koopman, Jr., et al.* as proposed by the Examiner. Where there is no use for a proposed addition to a primary reference, no benefit flows from the proposed combination, the requisite legal motivation for making the combination is absent and there is no *prima*


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facie case of obviousness. Here, because the optically detectable markings on the cards 70 and 71 are not enhanced in any way by incorporating a passive power source from *Koopman, Jr., et al.* and the arrangement of *Zolnerovich, Jr., et al.* is not in any other way enhanced by the proposed combination, there is no motivation for making it and no *prima facie* case of obviousness.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilitate moving this case forward to being issued, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Respectfully submitted,

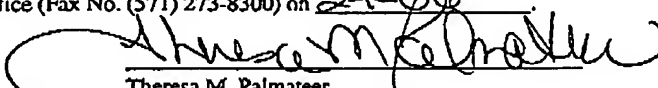
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Dated: 2-1-2006

CERTIFICATE OF FACSIMILE

I hereby certify that this Response relative to Application Serial No. 10/524,385, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on 2-1-06


Theresa M. Palmateer

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